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## TEHRAN TIMES

### Attempt to rename Persian Gulf meant to weaken Iran: Toben Kourosh Ziabari

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**Recent attempts made to distort the historically-recognized name of Persian Gulf are aimed at weakening Iran's strategic interests and strengthening Western propaganda in the region. So says German/Australian author, philosopher and historian Dr. Fredrick Toben, who believes that Iran should do all it can to preserve its culture and values.**

**The persistence of Western mainstream media and Arab news outlets of using incorrect names for the Persian Gulf is the subject of an interview which we conducted with Dr. Fredrick Toben. He is the founder of the Adelaide Institute and an author of several books. What follows is an excerpt of our lengthy interview.**

**Q: What are the main reasons behind the efforts aimed at distorting the name of Persian Gulf?**

**A:** It is the concept of Realpolitik in the Bismarckian sense that may help explain why the United States of America and its Arabic-speaking allied countries wish to change the name of Persian Gulf to Arabian Gulf. Modernity-inspired deconstructionists still believe that the overarching mental structures holding our global

culture together, as determined by the Marxist ideology, is solely a materialistic one where ideals, such as truth, honor and justice have no home. Such thinking is fallacious and outright deceptive.

For example, we know that the financial/monetary idealism expressed in both capitalist and Marxist ideology is just as abstract as the truth concept with both ideologies containing similarly deceiving elements; one relies on the concept of class and the other on the "free market" concept that enables both operators therein to hide from the responsibility of their actions. This makes such ideologies a false-consciousness construct that relies on base human motives such as greed and envy to justify political action.

The Darwinian/evolutionary concept of the "survival of the fittest" rests comfortably within such deceptive structures that preach peace but practice war, or in religious terms openly preach "an eye for an eye" where civilizing influences, rational debate, are regarded as manifestations of decadence. Hedonism and its logical offspring, nihilism, adorn its value system.

The foundation stone of any civilization, the truth concept, cannot breathe within such an environment and begin to flourish. The intellectual claim that truth is what you make it has become so academically entrenched that legal constraints operate within many democracies where truth-telling has become irrelevant as a defense.

I always rely on the example of the engineer who designs and builds a bridge but in the process cuts corners because of some cost-saving reason. In time such structures will break down because according to bridge design specifications some basic elements need to be attended to and cannot be done without. So, too, it is with truth-telling because without it trust, a fundamental value within human relationships, cannot flourish – and where trust is gone, relationships break

down and society begins to rot. The maxim that "trust is good but control is better," illustrates an already rotting social corpse – and skeptics then cry out: Welcome to the real world of politics and religion!

Yet, the inherent fallacy of such a view is apparent when we consider the fact that if someone does not tell the truth, then such a person can be accused of deception, of lying, which illustrates the reality of this abstract concept. This especially apparent in defamation cases where truth is still a defense. Once such a defense is negated by stripping it of its relevance we are on the downhill slide into a totalitarian mindset where, for example, mere hurt feelings can determine a person's guilt or innocence. The real factual world has disintegrated into an arbitrary abstraction imbued with power from a legislative entity. Iranians society, resting on Zoroastrianism and then inspired by Shiism added the ideal of justice to its core values. This enabled the development of the belief/value that unjust rulers must be removed from power, as the ancient ideal rulers Cyrus and Darius had instructed their Persian subjects to do.

Unfortunately, the 19th and 20th centuries saw the Persian Gulf subjected to oil exploitation that nations needed as the age of industrialization commenced. The European powers created artificial nations within this region that to this day still exist, and they make up the six Arabic-speaking Gulf oil states, have a similar culture and are Sunni Muslims: Bahrain, Kuwait, Saudi Arabia, Oman, Qatar and United Arab Emirates. Iraq, although Arabic-speaking and mainly Shiite, does have a distinctive cultural heritage that separates it from the Persian Gulf countries.

Iran, the seventh country that makes up the Persian Gulf, since 1979, has ventured forth without the Anglo-American mantle of physical and political protection that essentially consists of global financial U.S. dollar connectedness and the might of the U.S. military machine. It dared to break free of the British colonial legacy, which the USA didn't mind too much at that time, but its rejection of USA domination has never been forgiven by subsequent presidents. The drum-beat for war by the USA against Iran has now been sounding for thirty years, ever since Iranians stormed and sacked the U.S. Embassy in Tehran, chased out the Shah and embraced a spiritual leader instead.

The USA still has not forgiven Iranians for this action that enabled Iranians to develop their own national infrastructure. It is only last year that Iran claimed to be self-sufficient in producing its own fuel for its transport system, while up to then it had to rely on imports of fuel from overseas.

Iran's move away from selling oil in U.S. dollars and switching to the Euro is essentially a death knell for the U.S. dollar – and this is the backdrop to why this oil-rich region is precariously resting on a figurative powder keg that the US would dearly love to ignite,

then blame the Iranians for causing the Middle East to blow up.

The Google name-change affair is just another pretext used by the USA and its allies [all-lies] to impose its control over the region, and this means that it suits them to create problems, thereby pitting Arabic-speaking and Farsi-speaking peoples against each other.

The Tunis-begun so-called Arab-spring had grave consequences for Libya's Gaddafi and Egypt's Mubarak, both Arabic-speaking leaders that once were embraced by European and American politicians, much like Iraq's Hussain.

The fickle nature of such political relationships was early recognized by Iranian leaders who had the benefit of thousands of years of cultural tradition through which they could view their own self-interests and that of the powers that hovered around the artificially-created Persian Gulf states.

**Q: The replacement of Persian Gulf's name with other names such as the Gulf or Arabian Gulf started in 1950s and 1960s when Gamal Abdel Nasser of Egypt set in motion his pan-Arabian plans. What's your take on this?**

**A:** A revising of place names is a politically motivated matter and has occurred in all countries of the world, especially after political power structures change and its leaders begin to impose their world view especially on conquered territory. For example, The Vietnamese who defeated the USA re-named Saigon after their victorious leader, Ho-Chi-Min City.

A more subtle colonization occurred in Germany after it was soundly defeated at the end of the Second World War conflict. Germans had no significant name-changes to contend with but they were thoroughly subjected to a calculated re-education program that to this day aims to destroy the Germans as a people and as a nation. Germans dare not focus on their glorious national cultural past with any pride because as soon as they do, then the Holocaust-Shoah is thrust at them with the aim of breaking down their national ethos and to have them submit and enslaved to foreign elements. A national reflection is viciously opposed because, so the logic of the occupational forces in Germany, it brought about a dictatorship that caused horrendous global suffering.

Interestingly, what Germans are permitted to do is to excel in technological advances, for example, the Audi car maxim is: "Vorsprung durch Technik" – advantage through technology. But politically the German mindset is ruthlessly controlled and compromised by Jewish interests that undermine Germany's cultural heritage of 2000 years.

Iran's cultural heritage is over 6000 years old and it is worth defending because it contains timeless wisdom about what makes life worth living.

It is this occupation phenomenon, this global colonialism, which with ruthless efficiency for over a century British and Russian imperialism, and the USA since the middle of the twentieth century and continuing, tried to impose on Iranians. The renaming of the Persian Gulf is just one of the latest blatant attempts to re-colonize and enslave Iranians to international predatory capitalism/consumerism and thereby continue to make its people dependent and not autark individuals.

The further aim is to destabilize Iran as has happened to most of the Arabic-speaking countries that European colonialism helped to carve out of North Africa and the Middle East regions during the nineteenth century's

European land grab in Northern Africa and the Middle East.

The Americans call the current political upheaval the "Arab Spring" while Iran stresses it should become the "Islamic Awakening" in the way its own 1979 Revolution liberated Iranians from western "democratic decadence." Without the value system inherent in Islam, then the political changes within Iran would have quickly become absorbed by the allures of western material decadence.

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<http://www.tehrantimes.com/politics/99554-attempt-to-rename-persian-gulf-meant-to-weaken-iran-toben>

## **Opposition to Iran War gaining Momentum**

**By Kourosh Ziabari**

**Global Research, July 12, 2012**

*While Israeli leaders have historically demonstrated that they are insane and reckless enough to commit such a malicious and lethal blunder as launching a military strike on Iran, the international opposition to war against Iran is progressively gaining momentum.*

Several prominent academicians, peace activists, artists, journalists and even Nobel Prize laureates have stood shoulder by shoulder with the international organizations to voice their dismay and alarm at the renewed war rhetoric of Israel against Iran and its possible plans for launching a military strike on Iran's nuclear facilities following the unsuccessful conclusion of nuclear talks between Iran and the representatives of six world powers in Moscow.

Israel has perpetually been at the forefront of defying Iran's peaceful nuclear program while according to the Federation of American Scientists, possesses up to 200 nuclear warheads itself. So far, the UN nuclear watchdog has failed to present hard evidence proving that Iran's nuclear program has deviated toward military purposes; however, under the pressure of Israel, the United States and their European cronies, the United Nations Security Council has imposed four rounds of sanctions on Iran and the EU has recently implemented its comprehensive oil embargo against Iran on which its member states had reached an agreement in January this year.

In dealing with Iran's nuclear program, threats of military operation and economic sanctions have been the two sides of the same coin for the U.S., Israel and EU. From one hand, they impose hard-hitting sanctions to derail Iran's economy, create instability in the country and sow the seeds of discord and disagreement between the people and the government, and from the other hand, they vehemently talk of a possible military expedition so as to demoralize the country's statesmen, forcing them into giving up the nuclear program and also make other political and economic concessions.

However, there are still people of conscience in the world who have lend their hands to oppose the hawkish policies of Israel and outspokenly voiced their opposition to a possible war with Iran which will portend incredible insecurity for the Middle East, bring the oil prices to a historically unprecedented price and inevitably engage many regional countries which are by far unwilling to see another catastrophic confrontation in a tumultuous Middle East.

Among the Nobel Prize laureates who advocated against potential military strike on Iran are the Irish Mairead Corrigan-Maguire and Betty Williams who have also been strong opponents of the Israeli occupation of the Gaza Strip and West Bank, the late Nobel Prize laureate in literature Harold Pinter and American peace activist Jody Williams.

Another strong opponent of a war against Iran is the legendary linguist and political commentator, Noam Chomsky, who is said to be the mostly cited author writing in English after William Shakespeare.

In a recent article for the AlterNet website, Chomsky has argued that it is Israel, and not Iran, that is perceived by the majority of Arab people to be the most dangerous threat to the Middle East. He says that the Non-Aligned Movement, consisted of about 120 countries has frankly supported Iran's right to enrich uranium for research and medical purposes, and that the majority of Americans, as indicated by public opinion polls, oppose an Israeli or American war against Iran. He even cites polls in which the participants have expressed their belief that the world will be a safer place if Iran had nuclear weapons, while Iran has always rejected the claims that it intends to develop nuclear technology for military purposes: "Europeans regard Israel as the greatest threat to world peace. In the Arab world, Iran ... is seen as a threat only by a very small minority. Rather, Israel and the U.S. are regarded as the pre-eminent threat. A majority think that the region would be more secure if Iran had

nuclear weapons: In Egypt on the eve of the Arab Spring, 90 percent held this opinion, according to Brookings Institution/Zogby International polls. Western commentary has made much of how the Arab dictators allegedly support the U.S. position on Iran, while ignoring the fact that the vast majority of the population opposes it – a stance too revealing to require comment."

On the justifiability of Israel's war threats against Iran, Gareth Porter, the renowned American historian and journalist writes that "of course the threats are not justifiable. They are the behavior of hegemonic state seeking to maintain its hegemony." However, he doesn't believe that Israel will be attacking Iran: "I don't actually believe Israel is going to attack Iran. I believe Netanyahu has been bluffing all along, and I believe the vast majority of intelligence and military people in Israel believe that too, because they know that an attack against Iran would be suicidal for Israel." Porter says that an Israeli attack against Iran will bring about unimaginable consequences for the Zionist regime: "If Israel did attack Iran, it would be enough for the Iranian rockets to cause a significant social crisis in Israel. I believe immigration would essentially stop and a significant emigration from Israel would begin. As Meir Dagan has said, it would be the end of the state of Israel."

Fredrick Toben, a German/Australian author and a loyal supporter of Iran also thinks that Israel is not in the position to attack Iran because it is suffering severe internal problems and predicaments. He believes that an Israeli attack on Iran will be tantamount to the annihilation of Israel. "Israel is not a normal state because it is a military dictatorship that occupies some land and pretends to own it - when in fact it is operating/occupying stolen land... The Israeli threats are real because of the problems the regime faces from within. The threat is a 'scapegoat' mechanism that effectively deflects from its own social, economic and political problems. The maxim is "if Israel is destroyed, then we'll destroy the world before we are destroyed". However, such self-destructive mindset needs to understand that this is not a civilized way of solving the demographic problem, i.e. that Palestinians will outnumber 'Israelis' within the next few decades and so the solution to the problem should be focusing on developing one Palestine and not the two state solution. If Iran is attacked first then I see the end of the Zionist entity as Iran effectively retaliates."

Along with the individuals who have expressed their disapproval of the Israeli-American ploys for attacking Iran, many peace organizations have also planned campaigns against sanctions and military intervention in Iran. International Action Center which is a peace organization associated with Ramsey Clark, the United States Attorney General from 1967 to 1969 under President Lyndon B. Johnson, has posted several

articles and petitions on its websites, calling for the international community to end the campaign of intimidation and coercion against Iran.

In an article written by Clark himself, the mostly overlooked issue of the assassination of Iran's nuclear scientists by Israel's intelligence agents was raised and the intolerable indifference and deafening silence of the West to Israel's state-sponsored terrorism was questioned. The article which was written immediately after the assassination of Iran's 32-year-old nuclear scientist Mostafa Ahmadi Roshan, condemned using violence against Iranian civilians and called for a comprehensive scrutiny into the case: "Another Iranian Scientist, Mostafa Ahmadi Roshan, has been assassinated in Iran by a car bomb. This is the fifth Iranian scientist targeted by assassins working in Iran in two years. Four attacks succeeded. This is a deadly escalation of the covert criminal activities conducted by the U.S., Israel and their terrorists and domestic spies in Iran against the government and people of Iran."

"While Secretary of State, Hillary Clinton has denied any U.S. involvement, the important and undeniable truth is that the governments of the U.S. and Israel have openly declared Iran as an enemy and have publicly stated that they will use all means necessary, not excluding military attack, to change the Iranian government using Iran's efforts to produce nuclear energy as an excuse," wrote Clark.

U.S.-based organizations such as American Friends Service Committee, Bay Area United Against the War, Bay Area Labor Committee for Peace and Justice, Berkeley Gray Panthers, Courage To Resist, Crabgrass, Declaration of Peace SF Bay Area, Ecumenical Peace Institute/Calc, Grandmothers for Peace and South Bay Mobilization are among the groups which are advocating diplomacy and non-violent solutions to standoff over Iran's nuclear program and have urged the U.S. government to stop its war rhetoric on Iran.

"Campaign Against Sanctions and Military Intervention in Iran" and "Hands Off the People of Iran" are two UK-based organizations which work toward the aim of bringing to an end the artificial controversy over Iran's nuclear program. These organizations support Iran's nuclear program and have programmed rallies and demonstrations across the UK to engage people who want to join the anti Iran war voices.

The Stop War on Iran movement is also a well-known campaign organized by Ramsey Clark, British MP George Galloway, former UN Assistant Secretary General Dennis Halliday, former First Lady of Greece Margarita Papandreou and Bishop Thomas Gumbleton who are all opposed to the Israeli-American plans for attacking Iran.

What is clear is that the number of the hawks who love a new adventure in the Middle East is far less than those who support Iran and want an end to the nuclear deadlock. As far as the global public opinion is so

staunchly against a military strike against Iran, the fragile Zionist regime will not dare attack Iran, at least for the sake of its own shaky existence.

<http://www.globalresearch.ca/index.php?context=va&aid=31878>

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## Iranian Regime Prepares For Oil Embargo

By: A. Savyon and Y. Mansharof\*

### Introduction

On July 1, 2012, the oil sanctions imposed on Iran by the E.U. in December 2011 came into effect. During the months leading up to July 2012 and during the nuclear talks, spokesmen of the Iranian regime made numerous warnings, threats, and even pleas in an attempt to persuade the E.U. to cancel the sanctions, while at the same time stating that the regime was already making preparations to deal with them.<sup>[1]</sup> Apparently, the Iranian regime did not believe that the West would impose the sanctions, and now it is hurriedly attempting to prepare for them while also trying to exert pressure on the West.

It should be mentioned that another tactic typically used by Iran in times of crisis is waging terror indirectly, as a means of pressuring the West. Since Iran is currently limited in its reaction ability, it has a greater need to create provocations and trigger terrorism in the region, in order to exact a steep price from the 5+1 for the sanctions, and at the same time divert attention away from the nuclear issue.<sup>[2]</sup>

This report reviews the various measures taken by the Iranian regime in reaction to the sanctions: its efforts to prepare the public to endure them; its threats of violence against Western interests in the Gulf and Western targets around the world, as well as against Saudi Arabia and Israel; its threats to close the Hormuz strait; its attempts to find alternative routes for exporting its oil; and its calls to exhaust the diplomatic effort.

### Iranian Preparations At Home: Urging The Public To Demonstrate Fortitude; The Oil Embargo Is An "Opportunity"

Though the heads of the Iranian regime proclaim that the sanctions have no significant effect on the economy, and that they are even an opportunity to improve Iran's economic self-sufficiency,<sup>[3]</sup> some recent statements indicate that Iran's economic situation is, in fact, steadily deteriorating. In an extraordinary session of the Expediency Council on July 7, attended by Ahmadinejad, by the director of Iran's central bank, and by the ministers of oil, commerce, and economy, Expediency Council Chairman Mohsen

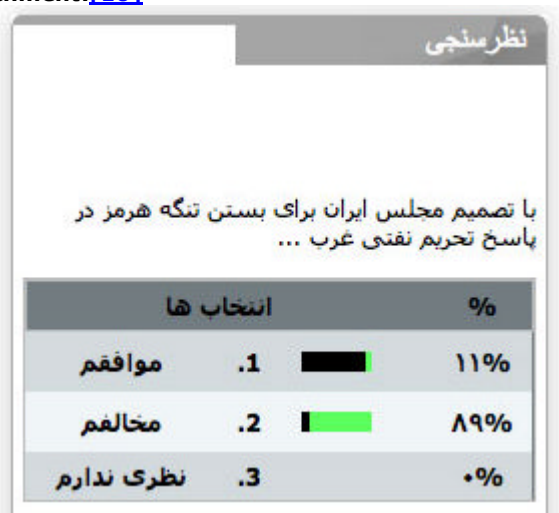
Rezai said that government reports clearly revealed that Iran is facing an "economic war."<sup>[4]</sup> Commerce Minister Mehdi Ghazanfari said at a conference in Qom that the oil sanctions are "paralyzing" and different from the sanctions to which Iran has grown accustomed since the advent of the Islamic regime. He warned that Iran is currently involved in "a serious and dangerous confrontation requiring clever planning," and that the sanctions could increase even further, to include "logistic sanction." He explained that the West did not want to confront Iran directly, so it decided "to harm the regime using extreme economic sanctions and to sow distrust among the people towards the regime and its officials."<sup>[5]</sup>

After Iran's Broadcasting Authority published the results of two recent polls – which revealed that some 60% of respondents favored halting uranium enrichment in return for a gradual easing of the sanctions, and 89% expressed opposition to Iran's closing the Hormuz Strait<sup>[6]</sup> – there were increasing calls by Iranian officials to launch a campaign for increasing public fortitude and support for the regime. For example, Yadollah Javani, an advisor to Khamenei's representative in Iran's Islamic Revolutionary Guard Corps (IRGC), called on the government to do its utmost to prevent a "bad" reaction among the public to the rise in the cost of living.<sup>[7]</sup> At a meeting of the Experts Assembly, the assembly's deputy chairman, Ayatollah Mohammad Yazdi, said that the oil embargo would not cause the regime to withdraw from its position on the nuclear program, and that for this reason, the impact of the sanctions on the cost of living and on the people was an important issue. He called on the regime to launch propaganda campaigns among the people in order to persuade them of the benefit of enduring the sanctions with fortitude.<sup>[8]</sup> The student Basij, on the other hand, protested the cost of living and demanded that the authorities address the economic problems, and thus demonstrate that they are aware of the people's distress.<sup>[9]</sup>





The survey removed from the Broadcasting Authority website. Most respondents are in favor of ceasing enrichment.<sup>[10]</sup>



The survey removed from the Broadcasting Authority website. Most respondents oppose closing the Strait of Hormuz.<sup>[11]</sup>

On July 16, 2012, Experts Assembly member Alam Al-Hoda even hinted at more active measures to be taken by the regime vis-à-vis the public. He said that the Basij is now charged with the important task of "restraining" the public, considering its potential reaction to the oil sanctions, and preserving its sense of identification with the regime.<sup>[12]</sup> According to reports, the regime has banned any further discussion in the media regarding the impact of the sanctions on society.<sup>[13]</sup>

#### Conditional Threats To Hit Western And Gulf Interests

1. The commander of the IRGC air force, Ali Hajizade, said that Iran would strike 35 American bases in the region and in Israel using its missiles, calling them "quality targets" that would be destroyed "in the first minutes" following an attack on Iran.<sup>[14]</sup> He added that "on the day of truth, IRGC missiles will strike our enemies like bolts of lightning."<sup>[15]</sup>

2. Acting commander of the IRGC Ground Force Operations Division Morteza Mirian said that Tehran can reach its enemies thousands of miles beyond its borders. He added that all enemy bases were covered by Iranian missiles, and that the enemy was especially vulnerable in the Persian Gulf. He also said that, unlike the enemy, Iran's fighters do not fear death, but rather see martyrdom for the sake of Allah as the pinnacle of glory. He stressed the importance of the Basij fighters – "Iran's atom bomb" – in Iran's plans, and added that "Iran's security lines in Lebanon [probably in reference to Hizbullah] create increasing danger for the enemy."<sup>[17]</sup>

3. On the eve of the sanctions coming into effect, IRGC Deputy Commander Hossein Salami said: "In our strategic plan, we defined a radius of deterrence including all the strategic interests in the region, so

that, during a conflict or war, we can manage them on every level... The IRGC has the ability to attack stationary and mobile targets. [It also has] steep



Shihab-3 Missile.<sup>[16]</sup>

trajectory ballistic missiles that enter the atmosphere at several times the speed of sound, and can rarely be intercepted or destroyed... The IRGC navy's missiles have advanced capabilities in terms of range, accuracy, radar evasion and velocity, and they can be fired from various launchers... We have reached [a level of] achievement that I doubt even missile pioneers like the U.S. and Russia [can match]... I firmly insist that we can hit all moving targets with 100% [accuracy].<sup>[18]</sup>



Iranian Karrar attack drone.<sup>[19]</sup>

4. IRGC Navy Commander Ali Fadavi said that Iranian intelligence is closely monitoring the American forces in the Persian Gulf, and has hundreds of craft there during all hours of the day. He added that "today, the situation is such that we choose the field and determine the rules of play."<sup>[20]</sup> Fadavi said further that the smaller boats, which are faster and more maneuverable, have missiles with a range of over 220 km, and will hopefully soon be equipped with 300 km missiles.<sup>[21]</sup>

5. Deputy Chief of Staff Masoud Jazayeri said: "If the security of Iran or its allies is threatened, Iran will undoubtedly respond appropriately and resolutely. We have added a tier to our military doctrine, according to which we will not merely defend ourselves in case of a threat. If attacked, we will respond with an attack. We have prepared [to launch] large-scale and multilayered attacks, if necessary."<sup>[22]</sup> Two weeks later, Jazayeri ridiculed statements by U.S. officials regarding the deployment of 200 missiles to prevent Iran from closing the Strait of Hormuz. According to him, the U.S. will not be able to use missiles to impose its will on a country as large as Iran, "which completely controls the strait." Jazayeri stated that "without a shadow of a doubt, Iran will confront the U.S. if it harms its interests."<sup>[23]</sup>

6. An article in the IRGC weekly *Sobh-e Sadeq* that discussed the Iranian response to the oil embargo claimed that Iran "will not simply abandon its national interest, [but] will take any necessary action to secure it." The article reviewed the courses of action available to Tehran: blowing up the nuclear talks; continuing the talks while introducing further difficulties and complications; closing the Strait of Hormuz, or at the very least restricting oil tanker passage; and "adding to the regional problems of the U.S. and the West." He promised that Iran would choose the option that best serves its interests.<sup>[24]</sup>

7. An Iranian website close to the IRGC claimed that the Iranian Hout missile is one of the world's fastest radar-evading naval missiles, and is three times faster than its American counterparts. The website explained that "launching two such missiles at random American warships in the Persian Gulf would inflict a deadly blow, leaving them no escape." The website claimed that only Iran and Russia possess the technology to manufacture such a missile, but that the Iranian model exceeds its Russian counterpart, having been upgraded by the IRGC, and can be launched from ships or submarines from a depth of up to 100 meters.<sup>[25]</sup>

8. Press TV reported that during the Great Prophet 7 military drill, the IRGC successfully employed unmanned aerial bombers against mock bases of trans-regional forces in Iran's Lut Desert.<sup>[26]</sup>



**Hout missile.**<sup>[27]</sup>

#### **Conditional Threats To Destroy Israel**

Senior military commander Mostafa Izadi said that an attack on Iran would lead to the destruction of Israel: "If the Zionist regime tries to take any action against us, this will spell the end of its existence. There is no doubt that they are unable to harm Iran and its regime in any way... The existence of numerous [Iranian] islands in the Persian Gulf has provided us with great capabilities, making the Islamic Republic the [superior] defense power in the region."<sup>[28]</sup>

9. The commander of the IRGC air force, Amir Ali Hajizadeh, also claimed that "if the Zionist regime makes a wrong move, it will give us an excuse to wipe it off the [face of the] planet."<sup>[29]</sup>

#### **Threats To Target Saudi Arabia**

10. Experts Assembly member and former intelligence minister Ali Fallahian called on the regime to "punish Saudi Arabia" for its crimes in Bahrain, Syria, and Yemen; for increasing oil production, which lowers the

price of oil in violation of OPEC agreements; and for executing Iranian citizens. According to him, punishment by Iran would encourage the Shi'ites in eastern Saudi Arabia and in Bahrain to rise up against the regimes in these countries.<sup>[30]</sup>

11. Majlis member Nasser Sodani called on the regime to demand that OPEC impose penalties in order to prevent Saudi Arabia from continuing to fund the oil embargo on Iran.<sup>[31]</sup>

#### **Iran Continues Threats To Close Strait Of Hormuz, While Acknowledging That This Violates International Law, Harms Its Allies -Iraq, China**

Iranian officials have made contradictory statements on closing the Strait of Hormuz. On the one hand, they continue threatening to close the strait, and, in light of the expansion of U.S. presence in the Gulf (aircraft carriers and minesweepers), they have even increased these threats. At the same time, their statements indicate that Tehran is aware that closing the strait would be a de facto declaration of war on the world, and legal cause for international steps against it; it also realizes that it would harm its allies, China and Iraq. Therefore, it can be suggested that Iran's goal in uttering these threats is mainly to raise the price of oil, which is at a relative low.



**The Strait of Hormuz.**<sup>[32]</sup>

At a Basij conference on June 19, 2012, Hossein Salami implied that Iran would close the Strait of Hormuz and said: "The whole world knows that 60% of the world's energy [resources] are in our hands, and that the peaceful functioning of the global economy is subject to Iran's will. This is our ability and our might, since we control the world's economy, and the entire world knows it."<sup>[33]</sup>

In late June 2012, the commander of the Iranian army's ground forces, Ahmad Reza Pourdastan, was asked: "Will Iran use its [advantageous] position in the Strait of Hormuz if the West increases the sanctions against it, especially regarding oil?" Pourdastan replied that "new sanctions being leveled by the arrogance [i.e., the U.S. and the West] will not influence our moves, but if conditions arise in which the Iranian nation feels threatened, it will use all [its] means of pressure, including in the Strait of Hormuz."<sup>[34]</sup>

When the sanctions came into effect, the editor of *Kayhan*, Hossein Shariatmadari, repeated his call to close the Strait of Hormuz, and added that the regime should boycott European companies in response to the oil embargo.<sup>[35]</sup> The head of the Majlis economic



committee, Arsalan Fathipour, told Al-'Alam TV that "if a complete embargo is imposed on Iran, it will not let a single drop of oil pass through the Strait of Hormuz."[\[36\]](#)

Yadollah Javani, an advisor to Supreme Leader Khamenei's representative in the IRGC, said that it is natural for Iran to utilize all means at its disposal to combat the oil embargo, one of which is the closure of the Strait of Hormuz.[\[37\]](#) In an interview with Iranian radio, Majlis National Security Committee member Esmail Kothari threatened that Iran would close the Strait of Hormuz if unable to export oil.[\[38\]](#)

With the implementation of the oil embargo, an initiative was proposed in the Majlis calling on the regime to respond by closing the strait.[\[39\]](#) However, many said that closing the strait was not feasible and/or not to Iran's advantage. National Security Committee member Naqavi Hosseini said that, even though Tehran could easily close the strait, a decision on this matter requires comprehensive review.[\[40\]](#) In an interview with the newspaper *Etemaad*, he added that a decision to this effect exceeds the authority of the Majlis, and should be taken by the regime leaders.[\[41\]](#)

Majlis member Esmail Jalili implied that the Majlis initiative is only meant to raise the price of oil in response to the oil embargo on Iran. According to him, the initiative is positive because it is a "soft" Iranian response to the psychological warfare against it, which "raises the price that the enemy must pay for leveling sanctions against Iran."[\[42\]](#)

Majlis member Heshmatollah Falahatpisheh, who is known for his militant statements, claimed that the Majlis initiative to close the Strait of Hormuz is dangerous and impulsive, since the closure would give Iran's enemies an excuse to launch a military campaign against it, backed by UN regulations; pave the path to more sanctions; and strengthen Israel's claim that Iran must be attacked.[\[43\]](#)

Foreign Minister Ali Akbar Salehi tried to downplay Iran's threat to close the strait, by describing the possibility as merely hypothetical. He said some had considered this possibility in case Iran was denied access to the Persian Gulf, but that he did not think such a situation would ever occur.[\[44\]](#)

Iranian Chief of Staff Hassan Firouzabadi said that the Majlis initiative reflects the will of the people,[\[45\]](#) but that Iran would not close the strait unless it perceived its interests to be in danger.[\[46\]](#) On July 15, Firouzabadi said: "We have no intention of closing the Strait of Hormuz at this time, but we have prepared plans for it."[\[47\]](#)

Majlis presidential committee member Alireza Mandi Safidan also expressed reservations regarding the move and said that Iran would not hasten to close the strait: "Closing the Strait of Hormuz would be Iran's last step in response to the oil sanctions... If certain countries sell oil unjustly with the support of the world's arrogant superpowers, Iran has levers other than closing the Strait of Hormuz to cause the West to regret [it], and it will undoubtedly use them."[\[48\]](#)

The Tabnak website, which is close to Expediency Council Chairman Mohsen Rezai, estimated that the Majlis initiative would not bring about a closure of the Strait of Hormuz since "officially, Iran is not at war."[\[49\]](#)

### **Finding Alternatives Routes For Exporting Oil**

With the implementation of the oil embargo, the regime began taking measures to bypass it, such as establishing private consortiums to sell its oil, finding alternative clients, and selling the oil through other countries.[\[50\]](#)

### **Selling Oil Through A Private Consortium**

In early July, the head of the Iranian Oil Exporters Union, Hassan Khosrojerdi, announced the establishment of three private oil exporting consortiums to assist the regime in bypassing the sanctions and selling oil to the West.[\[51\]](#) Iranian TV reported that 30% of Iranian oil exports would be sold by the private sector.[\[52\]](#)



**Iranian oil tanker.[\[53\]](#)**

### **Selling Oil Through Other Countries**

Majlis Energy Committee Deputy Chairman Ali Marvi told the Mehr news agency that Iran plans to bypass the sanctions by shipping its oil under foreign flags. According to Marvi, several countries have agreed to rent their ships to Iran.[\[54\]](#)

### **Finding Alternative Clients**

Regime officials and mouthpieces claimed that Iran would find new clients to replace their Western clients. Oil Minister Rostam Qasemi said that Iran was preparing to sign new contracts with clients other than the EU.[\[55\]](#) Majlis member Abed Fattahi said that Iran would not succumb to the sanctions since it enjoys "a totally stable economy," as well as effective diplomacy that enables it to find new clients to replace the West.[\[56\]](#) Mohsen Qamsari, an official at the National Iranian Oil Company, said that Iran has signed a contract with Kenya to export 80,000 barrels a day to this country. However, on July 4, 2012, Kenya announced it had cancelled the deal following U.S. threats to level sanctions against it.[\[57\]](#) Qamsari added that Iran is in contact with other African countries and will soon sign agreements with Zimbabwe and Tajikistan.[\[58\]](#) Columnist Hassan Hanizadeh, who is close to regime circles, claimed that the oil embargo would be difficult for Iran, but would not stand in its way. He explained that Iran has detailed plans to find alternative clients, especially in East Asia, and predicted that the sanctions would harm Europe more than Iran since most of Europe's refineries can only process Iranian oil.[\[59\]](#)

In an interview with the ILNA news agency on July 4, 2021, former oil minister Kazem Vaziri Hamaneh estimated that it would not be difficult for Iran to find alternative clients, and explained that selling oil can also be done "by mediators." He said that the use of



mediators might raise the sale costs and decrease Iran's profit margins, but that "the decrease [in revenue] is not a high price to pay for our resolute stand against bullying and pressure."<sup>[60]</sup>

**\*A. Savyon is Director of the Iranian Media Project; Y. Mansharof is a Research Fellow at MEMRI.**

<sup>[1]</sup> Foreign Ministry spokesman Ramin Mehmanparast said that "in the long run, the E.U. countries will regret [the sanctions] because they will run into oil supply problems," and added that the oil embargo was an attempt by the U.S. to compete with its European rivals on the pretext of harming Iran. Yjc.ir, July 8, 2012. Esmail Kothari, a member of the Majlis National Security Committee, said that Europe would find it difficult to endure the embargo while in the throes of the worst financial crisis since the end of the Second World War, and that it was dependent on Iranian oil. Qods (Iran), July 1, 2012.

<sup>[2]</sup> See MEMRI reports Inquiry & Analysis Series No. 838, "Ahead of the Baghdad Nuclear Talks Between Iran And The 5+1 – An Assessment," May 21, 2012, <http://www.memri.org/report/en/0/0/0/0/0/6392.htm>; MEMRI Inquiry & Analysis Series No. 852, "Tehran's Response To The Intensification Of Sanctions: A Determined Stance On The Nuclear Issue, Controlled Threat In 'Great Prophet 7' Missile Exercise, Threats Of Terrorism," July 3, 2012, <http://www.memri.org/report/en/0/0/0/0/0/6492.htm>.

<sup>[3]</sup> Though experts assess that oil exports provide some 80% of Iran's export revenues, Iranian President Mahmoud Ahmadinejad claimed recently that it accounts for less than 10% of the revenues, and called to eliminate even this dependency and thereby neutralize the weapon of the oil embargo. Fars (Iran), July 3, 2012. Basij Commander Mohammed Reza Naqdi said that the oil embargo would enable Iran to build an economy not dependent on oil: "All the economic experts say the solution is an economy not based on oil, so we should take advantage of the great opportunity provided by the embargo in order to implement this and march [our] economy forward." Fars (Iran), July 11, 2012. Iranian Supreme Leader Ali Khamenei said that the sanctions would not stand in Tehran's way. *Asr-e Iran* (Iran), July 11, 2012.

<sup>[4]</sup> IRIB (Iran), July 7, 2012.

<sup>[5]</sup> Hawzahnews.com (Iran), July 15, 2012.

<sup>[6]</sup> Digarban.com, July 3, 2012. The Broadcasting Authority was later compelled to remove the poll results from its website.

<sup>[7]</sup> Yjc.ir, July 11, 2012.

<sup>[8]</sup> Khabaronline.com, July 11, 2012.

<sup>[9]</sup> Fardanews.com (Iran), July 7, 2012.

<sup>[10]</sup> [www.digarban.com](http://www.digarban.com), July 3, 2012.

<sup>[11]</sup> [www.digarban.com](http://www.digarban.com), July 4, 2012.

<sup>[12]</sup> Snn.ir, July 15, 2012.

<sup>[13]</sup> Reuters, July 11, 2012. Abdallah Nouri, a prominent member of the reformist movement, said it was wrong to sacrifice all of Iran's interests to the nuclear program, and warned of serious damage to the Iranian economy, owing to its dependence on oil revenues. He called on the Iranian public to join hands

in rescuing the country and saving it from crisis. Roozonline.com, July 11, 2012.

<sup>[14]</sup> *Javan* (Iran), July 4, 2012.

<sup>[15]</sup> Ina.ir, July 4, 2012.

<sup>[16]</sup> [www.jamnews.ir](http://www.jamnews.ir), July 3, 2012.

<sup>[17]</sup> Fars (Iran), June 30, 2012.

<sup>[18]</sup> Fars, Irib.ir, Press TV (Iran), June 24, 2012; lenziran.com, June 24, 2012.

<sup>[19]</sup> Press TV (Iran), July 3, 2012.

<sup>[20]</sup> Sepahnews.ir, June 29, 2012.

<sup>[21]</sup> Press TV (Iran), June 29, 2012.

<sup>[22]</sup> Yjc.ir, June 27, 2012.

<sup>[23]</sup> *Kayhan* (Iran), July 11, 2012.

<sup>[24]</sup> *Sobh-e Sadegh* (Iran), July 2, 2012.

<sup>[25]</sup> Yjc.ir, July 11, 2012. For more on Iranian threats of missile strikes against U.S. watercraft, see <http://www.memri.org/report/en/0/0/0/0/0/6526.htm>.

<sup>[26]</sup> Press TV (Iran), July 3, 2012.

<sup>[27]</sup> [www.yjc.ir](http://www.yjc.ir), July 11, 2012.

<sup>[28]</sup> Press TV (Iran), June 23, 2012.

<sup>[29]</sup> Press TV (Iran), July 1, 2012.

<sup>[30]</sup> He said further that, with King 'Abdallah on his death bed, Saudi Arabia is currently weak and there are disputes among his heirs. It should be noted that Fallahian is wanted by INTERPOL for his suspected involvement in the bombing of the Jewish community building in Buenos Aires, Argentina in 1994. Mehr (Iran), July 7, 2012.

<sup>[31]</sup> Press TV (Iran), June 29, 2012.

<sup>[32]</sup> [www.yjc.ir](http://www.yjc.ir), July 15, 2012.

<sup>[33]</sup> Iribnews.ir, June 19, 2012.

<sup>[34]</sup> ISNA (Iran), June 25, 2012.

<sup>[35]</sup> *Kayhan* (Iran), July 2, 2012.

<sup>[36]</sup> Al-'Alam TV (Iran), July 1, 2012.

<sup>[37]</sup> Yjc.ir, July 11, 2012.

<sup>[38]</sup> Radiogoftogoo.ir, July 7, 2012.

<sup>[39]</sup> Bultannews.com, July 1, 2012.

<sup>[40]</sup> *Asr-e Iran* (Iran), July 3, 2012.

<sup>[41]</sup> *Etemaad* (Iran), July 4, 2012.

<sup>[42]</sup> *Mehr* (Iran), July 4, 2012.

<sup>[43]</sup> Khabaronline.ir, July 6, 2012.

<sup>[44]</sup> Khabaronline.ir, July 6, 2012.

<sup>[45]</sup> Foreign Ministry spokesman Ramin Mehmanparast made a similar remark. ISNA (Iran), July 3, 2012.

<sup>[46]</sup> ISNA (Iran), July 7, 2012.

<sup>[47]</sup> IRNA (Iran), July 15, 2012.

<sup>[48]</sup> Icana.ir, June 23, 2012.

<sup>[49]</sup> Tabnak (Iran), July 3, 2012.

<sup>[50]</sup> Majlis member Abdul Reza Mesri also called to impose a tax on ships passing through the Strait of Hormuz, claiming it was Iran's legal right to do so. Yjc.ir, July 9, 2012. *Kayhan* reported on July 11 that more than 60 Majlis members agreed to the taxation plan.

<sup>[51]</sup> Fars (Iran), July 9, 2012.

<sup>[52]</sup> Lenziran.com, July 9, 2012.

<sup>[53]</sup> Press TV (Iran), January 28, 2011.

<sup>[54]</sup> <http://www.mehrnews.com/FA/newsdetail.aspx?NewsID=1645639>

<sup>[55]</sup> *Javan* (Iran), July 2, 2012.

<sup>[56]</sup> Press TV (Iran), July 5, 2012.

<sup>[57]</sup> *Washington Times*, July 4, 2012.

<sup>[58]</sup> *Mehr* (Iran), July 4, 2012.

<sup>[59]</sup> Yjc.ir, July 2, 2012.

<sup>[60]</sup> ILNA (Iran), July 4, 2012.

## ...the Islamic Republic has a strong case which could prevent war

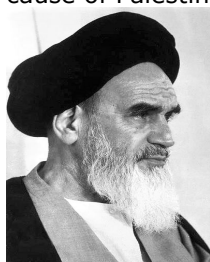
Franklin Lamb, Beirut - Al Manar

Graphics by: [Alex](#)



This observer's best ever (and shortest) job involved "sort of" representing Iran before The Hague based International Court of Justice back in the ancient history days of 1980 following the American hostage events when the US government sued the new Islamic Republic of Iran before the ICJ under Articles 22 (2), 24, 25, 26, 27 and 29 of the 1961 Vienna Convention on Diplomatic Relations as well as Article 111 (4) of the 1955 Treaty of Amity, Economic Relations and Consular Rights (USA/Iran).

How I got the job following the collapse of the Ted Kennedy's long shot incumbent challenging primary presidential campaign where I worked on the issues staff, was that Iran's Charges D'affaires at its UN mission, Mr. Ali A, contacted US Senator James Abourezk who had just left the Senate and opened a law office in Washington, DC as James organized the Arab American Anti-Discrimination Committee (ADC) and worked for the cause of Palestine.



The Ayatollah Ruhollah Musavi Khomeini led Iranian revolutionary government hired James' law firm to represent Iran in the matter of the American government's Application at the ICJ.

Or so we were given to understand. My job description could not have been better. It involved immediately putting together an international legal team of ICJ specialists and move to The Hague to function as "case coordinator" and liaise with the World Court administration, monitor our case making sure of timely filings, keep an eye on what the legal team on the other side was up to at the Court, and sundry other tasks.

I quickly lined up three legal giants from my alma mater, the London School of Economics, including the scholarly, quiet, always deferential, and understated

Dr. Bin Cheung, son of the former Foreign Minister from Taiwan, the posh, upper-upper British crust and elegant Professor David Johnson, who was my thesis advisor, and the out of control, bi-polar, extremely abrasive, indefatigable and brilliant University of London International lawyer, Georg Swartzenberger.



I still recall the portly bald headed "misogynous tyrant" (as some of his female students referred to "Herr Professor") telling me in his heavy German accent, "Ve shall crush zee Americans at Den Hague!" and I had no doubt that with him as lead counsel we would have.

One of the many stories about the prolific Professor Swartzenberger, (his classic law treatise, *Principles of Public International Law* remains unmatched on jus cogens legal theory) was that in Germany during the early 1930's there were two dynamic and powerful egotistical personalities with nearly hypnotic charisma, plenty of fanatical supporters, and insatiable personal ambitions, who were bound to clash, probably sooner than later, and that post-Weimer Germany could not contain them both.

As it turned out, Adolf Hitler stayed, Georg Swartzenberger departed for England, and the rest is history.

I packed my bag, and contacted my former landlady who had rented me a room three blocks from the ICJ, when I studied at the Academy of International Law at the Palais de la Paix. While looking for my passport, I got a phone call from my colleague at James' office.

Long story short, our job was over. Finished. Khalas! We were essentially fired or at least not formally hired.

**Ali A had just called James from the Iranian Mission at the UN and advised that Ayatollah Khomeini himself had personally decided not to continue with our work or to dignify the American application with a responsive pleading which we had been preparing day and night for six weeks! We were in shock. How could this be? For sure we were going to win this case big-time or so we all believed.**

The Khomeini decision cast the template for three decades of default judgments against Iran by America and Israel.

In "our" case, the ICJ's 15 judge Tribunal, sitting en banc, politely expressed pro forma "regret that Iran did not appear before this court to present its responses". The absence of Iran from the Court proceedings automatically brought into operation Article 53 of the ICJ Statute, under which the Court in default cases, is required, before finding in the Applicant's favor, to satisfy itself that the allegations of fact on which the claim is based are well founded. **Absent Iran, the American Application (Complaint) won on all points.**

During the intervening 32 years Iran has lost every case brought against it in US Courts, never once on the merits but via default judgments that will eventually total more than ten billion dollars with more than half a dozen cases pending with the same predictable result.



Many, even in the U.S. government, continue to hold that culpability in the Marine barracks attack is undetermined. For example, former Secretary of Defense Caspar Weinberger stated in 2002, 20 years after the bombing: "But we still do not have the actual knowledge of who did the bombing of the Marine barracks at the Beirut Airport, and we certainly didn't then."

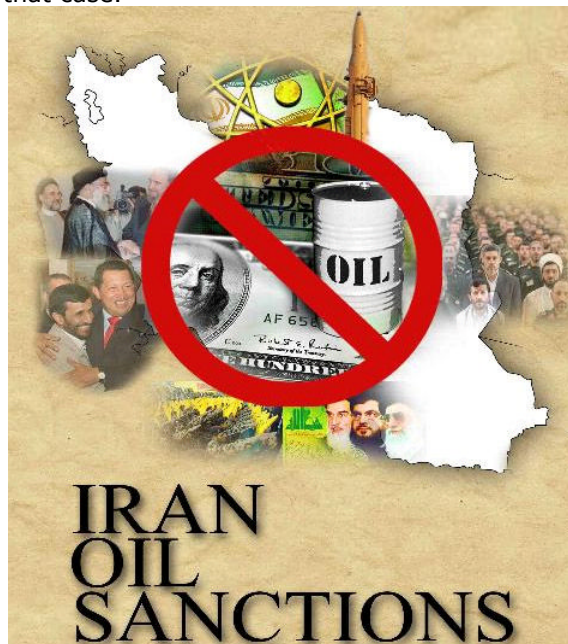
On 7/3/12, Israel's third favorite US Federal District Judge, Royce Lambeth delivered another example of what many in the Zionist lobby considers his best judicial work. Judge Lambeth, in the eighth case against Iran on unproven allegations regarding the same incident, ordered Iran to pay yet another huge default judgment, this time \$813 million in damages and interest to the families of 241 US soldiers killed in the 1983 bombing of a Marine barracks in Lebanon. In his latest decision Lambeth stated that Tehran had to be "punished to the fullest extent legally possible under the law " and appeared to boast when he wrote in his ruling that "After this opinion, this court will have issued over \$8.8 billion in judgments against Iran as a result of just this one 1983 Beirut bombing."

In 2007, under a law allowing foreign governments to be sued in US courts, Lambeth ordered Iran to pay \$2.65 billion to victims' families, an amount he wrote at the time "a number of other Beirut bombing cases remain pending, and their completion will surely increase this amount."

Earlier, on 9/8/03 Judge John Bates of the U.S. District Court in Washington, D.C. awarded \$123 million to 29 American victims and family members of Americans killed in the 1983 bombing of the U.S. embassy in Beirut.

However unjust, Iran will continue to lose every pending case and every future case by default unless it decides to use the judicial remedies available to it and take the initiative, for example, in the US organized economic sanctions case which is becoming extremely dangerous given US, UK, and French plans to use them to achieve regime change in Tehran. **A joke among Washington DC lawyers** is that if one of their ranks suffers from depression because he/she has never won a single case during their entire career, their psychiatrist will prescribe **as therapy** that the

depressed lawyer sue Iran because for sure they will win that case.



**The Islamic Republic can halt and even reverse the historic trend by filing an action at the International Court of Justice against the US, France, the UK and their allies, perhaps part of a class action case on behalf of all Iranian citizens being harmed by illegal and political economic sanctions.** The US and the European Union (EU) have imposed several rounds of sanctions to pressure Iran to give up its uranium enrichment activities.

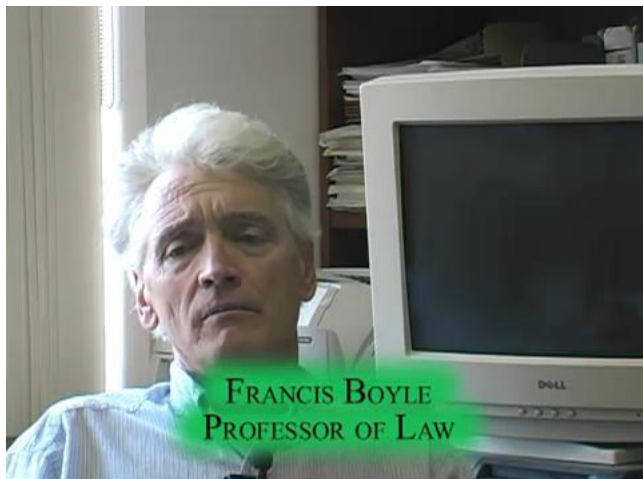
**On 7/8/12 an EU oil embargo against Iran took effect.**

There is in fact no probative evidence that Iran is engaged in a nuclear weapons program. The [latest International Atomic Energy Agency report](#) once again failed to produce a smoking gun, despite the best efforts of its new director general, Yukiya Amano – described in a WikiLeaks cable as "solidly in the US court on every strategic decision".

In February of this year, supreme leader Ayatollah Ali Khamenei [declared](#) "Iran is not seeking to have the atomic bomb, possession of which is pointless, dangerous and is a great sin from an intellectual and a religious point of view." It is also the unanimous judgment of the U.S. intelligence community, declared in 2007 and affirmed in 2011, that Iran has abandoned any program to build nuclear weapons.

The immediate filing of an Iranian action before the ICJ has been proposed over the past couple of years, and most recently by, among others, Professor Francis Boyle and Mohammad Nahavandian Chief of Iran's Chamber of Commerce, Industry, Mines and Agriculture. Iran taking the sanctions case to the World Court would also advance accountability under international law and because the ICJ would likely grant Iran's Petition for Interim Measures of Protection the sanctions could be suspended during the course of the years of litigation which would directly and positively affect the lives of suffering Iranians while giving the parties a chance to settle their differences peacefully using diplomacy.





Iran has the facts of the US sanctions case in its favor and there are ample solid legal theories to argue to and convince the World Court.

[Under the ICJ Statute, the ICJ must decide cases in accordance with international law.](#)

Hence the ICJ must apply (1) any international conventions and treaties; (2) international custom; (3) general principles recognized as law by civilized nations; and (4) judicial decisions and the teachings of highly qualified publicists of the various nations. From this body of international law the International Court of Justice would find ample basis to support Iran's claims not only for the benefit of its civilian population but also to advance the rule of law in the global community.

The ICJ is made up of 15 jurists from different countries. No two judges at any given time may be from the same country. The court's composition is static but generally includes jurists from a variety of cultures. Among the Principles, Standards and Rules of international law Iran should argue to the World Court could include, but would not be limited to, the following:

The US led sanctions violate international humanitarian law due to the negative health effects of the sanctions on the civilian populations. This renders the sanctions illegal under international customary law and the UN Charter for their disproportionate damage caused to Iran's civilian population;



The US led severe sanctions regime constitutes an illegitimate form of collective punishment of the weakest and poorest members of society, the infants, the children, the chronically ill, and the elderly;

\*The US, France and the UK have violated the UN Charter by their imposition of severe economic sanctions and threats of military and even nuclear force. The United States, Israel, and some of their allies, regularly threaten Tehran with the "option" of a military strike against its civilian nuclear facilities. The ICJ has ruled previously that "A threat or use of force by means of nuclear weapons is contrary to Article 2, paragraph 4, of the UN Charter and that fails to meet all the requirements of Article 51, is unlawful". It has further ruled that "A threat of use of nuclear weapons must also be compatible with the requirements of the international law applicable in armed conflict, particularly those of the principles and rules of humanitarian law, as well as with specific obligations under treaties and other undertakings which expressly deal with nuclear weapons".

\*Examples of the scores of threats to use force by US officials Remarks made by retired U.S. Army general Jack Keane, who earlier this year urged the administration of U.S. President Barack Obama to use covert action against Iran and target members of the Quds Force, the Guard's special foreign actions unit, and former CIA official Reuel Marc Gerecht who was reported as saying regarding Iran's nuclear standoff with the West: "I don't think that you are going to really intimidate these people, get their attention, unless you shoot somebody." Both urged the Obama administration to assassinate top Iranian security officials, including Quds Force chief Qasem Soleimani. U.S. planes and warships are currently entering the Persian Gulf, while 44 U.S. senators are promoting an AIPAC initiative urging president Obama to break off talks with Tehran, toughen the sanctions even further and prepare for war.

\*Unilateral US sanctions are illegal under International Law because they are in fact multilateral and impose penalties on any country which opposes the sanctions or does not choose to participate in them;

\*The US led sanctions amount to an Act of War given their effects including hardships on the general public and that Iran therefore has a legal right to Self-Defense including closing the Straits of Hormuz;

\*The US led sanctions, given their design and intent, constitute acts of aggression against Iran in violation of Article 2 (4) of the UN charter.

\*The indisputable facts of the US led sanctions case warrant the imposition by the ICJ of Restraining Orders designed to prevent a military attack on Iran, to prohibit any type of blockade of Iran and cease the imposition of further economic sanctions against Iran, and also their efforts of securing more sanctions against Iran at the United Nations Security Council. The Restraining Orders should also seek to prohibit the US and its allies from advocating aggressive military actions against Iran and to negotiate with Iran in good faith over the dispute concerning nuclear re-processing.

\*Iran should apply to the World Court for Temporary Restraining Orders (TRO's) against the US, UK, France, EU, among others states, to cease and desist from committing ongoing voluminous threats by US officials, including members of Congress such as Chairman of the House Homeland Security Committee Peter King, Chairman of Subcommittee on Oversight, Investigations, and Management Michael McCaul, and



Chairman of the Subcommittee on Counterterrorism and Intelligence Patrick Meehan.

\*The US has failed to separate acts of war and from the economic sanctions which are being used as an act of force;

Iran can legitimately claim and should argue at the ICJ that certain bi-lateral or multilateral economic sanctions imposed by single countries or by intergovernmental bodies like the United Nations are illegal or even criminal due to their assault on the international legal Right to Development or in the case of military sanctions, the Right of Self-defense;

The US led sanctions violate the international law principle of Non-intervention in the internal affairs of UN member states:

As Germany's Green Party has argued, sanctions against Iran over its nuclear program violate international laws as long as no evidence of deviation toward nuclear weapons construction is found.

Despite Iran's strong case on both the facts and the law, and the diversity in structure and composition of the International Court of Justice, the International Tribunal has a few times over the years been criticized for favoring established powers. Under articles 3 and 9 of the ICJ Statute, the judges on the ICJ should represent "the main forms of civilization and principal legal systems of the world." This definition suggests that the ICJ does not represent the interests of developing countries.

Nevertheless, the World Courts record has been by and large exemplary in applying Principles, Standards and Rules of international law both in contested cases and advisory opinions and Iran has an excellent opportunity to protect its citizens, thwart US and Israeli designs on the region, and advance international accountability all to the inestimable benefit of all people and nations.

**Iran should file an application with the International Court of Justice regarding the US led sanctions campaign without further delay.**



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He [contribute to Uprooted Palestinians Blog](#)  
Please Sign

<http://www.petitiononline.com/ssfpccr/petition.html>

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## Marriage leads to children - gay marriage leads to surrogacy

Michael Cook, *Sydney Morning Herald*, July 19, 2012



**"Cheap wombs might bring gay men the happiness of being the father ... but the cost of that happiness is often borne by poor and uneducated women." Photo: Adam Ferguson**

A TV show called *The New Normal* will have its premiere on NBC in the US soon. It's about a gay couple and the single mother they engage to have their baby.

"She's just like an easy-bake oven except with no legal rights to the cupcake," the surrogate-mother broker tells Bryan and David. This is a hard-nosed description of the woman's role in gay marriage and child-rearing, but it sums it up accurately.

In heterosexual relationships, the birth rate rises when couples are married. One would expect similar dynamics to apply to same-sex couples. For lesbian couples, this is not a huge problem; all they need is a sperm donor. But male couples need surrogate mothers.

Where will these women come from?

Unless the law of supply and demand is repealed, the answer is: where wombs are cheapest. At the moment,

this is India, where surrogate motherhood has become a \$2.3 billion industry, with the enthusiastic encouragement of some state governments. A recent investigation by the London *Sunday Telegraph* found there were only 100 surrogacies in Britain last year, but 1000 in India for British clients. The proportion in Australia is likely to be the same.

There are no official statistics, but it appears gay couples account for a substantial chunk of the overseas market. So will the legalisation of same-sex marriage lead to even more surrogate mothers in India? *BioEdge*, the bioethics newsletter I edit, emailed IVF clinics in India and the US asking whether they were preparing for a rising demand for surrogate mothers.

The answer was a resounding yes. Our survey is far from scientific, let alone comprehensive, but it suggests that poor women in developing or economically depressed countries will be recruited to service gay couples.

"The main reason patients travel from abroad to India is for excellent personal care, expertise and a lot of savings on the treatment costs," says Dr Samundi Sankari, of Srushti Fertility Research Centre in Chennai. "The costs that they pay here is almost one-fifth the costs they pay for surrogacy in US and Europe." He gets a lot of inquiries from gay couples in the US and Israel. Is he preparing for an increase in demand? "Definitely, yes."

Dr Samit Sekhar, of the Kiran Infertility Centre, in Hyderabad, also forecast an increase. He said a "sizeable number" of the centre's clients were gay. "We have seen an increase in the number of gay couples and single men approaching our clinic as soon as legitimacy to their public union is granted in their respective states or country."

There was one dissenting voice. A spokeswoman for Dr Shivani Sachdev Gour, of Surrogacy Centre India, Megan Sainsbury, rebuked *BioEdge* for its inquiry. "We are not preparing for an expansion of services for gay

couples. Why would you ask this?" However, most of the contented parents featured on Sachdev Gour's blog last month are gay.

Indian IVF clinics say surrogate mothers are adequately compensated. But it can be a dangerous job, and the contracts they sign are weighted heavily in favour of the commissioning parents. A surrogate mother in Ahmedabad collapsed and died in May, shortly before she was due. The client took the baby and her family was given only \$18,000.

The award-winning British/Indian novelist and journalist Kishwar Desai deals with the surrogacy industry in her latest novel, *Origins of Love*. She told *The Guardian*: "There are hospitals where women are kept for the whole nine months while they carry someone else's child. There are good stories, where the surrogate is well looked after, but I would like to make people aware of the sheer exploitation of it, the fact that these women are extremely poor. They are carrying someone's child for two or three thousand pounds [\$3000 to \$4500]. They may do this three or four times. They may be forced to have a caesarean."

A leading US infertility doctor, Jeffrey Steinberg, who runs the Fertility Institutes in Las Vegas and Los Angeles, told *BioEdge* he got a surge of inquiries whenever a jurisdiction legalised gay marriage. At the moment he uses only carefully screened American surrogates, but he is thinking of outsourcing their jobs to Mexico.

Supporters of same-sex marriage must recognise they face a serious moral dilemma. Cheap wombs might bring gay men the happiness of being the father of a child of their own. But the cost of that happiness is often borne by poor and uneducated women.

**Michael Cook is the editor of the bioethics newsletter *BioEdge* and a columnist for *Australasian Science*.**

<http://www.smh.com.au/opinion/politics/marriage-leads-to-children--gay-marriage-leads-to-surrogacy-20120718-22aco.html#ixzz211HvyjNP>

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**'To learn who rules over you, simply learn who you are not allowed to criticise' – Voltaire**

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#### **AFP cover-up of the AWB/Saddam Hussein \$300 million bribery to be tested in the Federal Court by whistle-blower**

Former Australian Federal Police officer Ross Fusca has instituted proceedings in the Federal Court of Australia against the AFP under the Fair Work Act. As part of his evidence he alleges he was offered a promotion if he shut down the enquiry into the AWB oil-for-food scandal which he headed up when he was employed at the AFP.

It is set down for another directions hearing on the 16th August 2012 before Justice Susan Kenny in Melbourne. ([Click here for Susan Kenny's Bio](#))

Irrespective of Mr Fusca's claims there is more than enough evidence to show a cover-up happened by the Federal Police and we will look at some of that evidence.

Ross Fusca's case was reported on by the ABC's 7.30 Report and The Age last month but they left out two key factors.

The first and most important is that AWB admitted they knew that they were bribing Saddam Hussein and the Iraq Government. This admission was made during the course of civil proceedings against AWB by its shareholders in February 2010.

The second, and this might not seem much, is that the former head of the AFP Mick Keelty closed down the AFP's inquiry literally a few days before he retired and the new AFP Commissioner Tony Negus took over. I remember when it

happened I thought to myself that Keelty is clearing out the dirty laundry so Negus would not have to take the heat at a later stage if it did blow up again. Given that it is the biggest bribery scandal to hit the country he should have left it to Tony Negus to deal with.

#### **Background**

This is what it says on Wikipedia: "*The AWB Oil-for-Wheat Scandal (also known just as the AWB Scandal) refers to the payment of kickbacks to the regime of Saddam Hussein in contravention of the United Nations Oil-for-Food Humanitarian Program. AWB Limited is a major grain marketing organisation based in Australia. For much of the twentieth and early 21st century, it was an Australian Government entity operating a single desk regime over Australian wheat, meaning it alone could export Australian wheat, which it paid a single price for. In the mid-2000s, it was found to have been, through middlemen, paying kickbacks to the regime of Saddam Hussein, in exchange for lucrative wheat contracts. This was in direct contradiction of United Nations Sanctions, and of Australian law.*"

"As a result of these bribes, AWB was able to secure 90% of the Iraqi wheat market, before being discovered in 2005. United Nations investigator Paul Volcker found that the

Australian Wheat Board, and later AWB Limited, were not the only, but certainly the largest source of kickbacks to the Iraqi regime. The Australian Government also launched a Royal Commission, which recommended that criminal proceedings commence against 12 people. Ultimately, criminal charges were dropped by the Australian Federal Police. Several Australian civil cases were however successful. Since the payments were discovered, AWB Limited has undergone a major restructuring, losing its monopoly supply of Australia wheat exports, and appointing an entirely new management. However, its profitability continues to suffer." ([Click here to read more](#))



**Cole Inquiry**

The Cole Inquiry was set up in November 2005 in response to a United Nations inquiry that had found that AWB had bribed the Iraqi government. The Cole Inquiry findings were tabled to parliament in November 2006. AWB during the course of the inquiry were clearly withholding evidence. A number of the AWB managers had memory losses and withheld documents. But even so there was enough evidence for the inquiry to recommend criminal charges against 12 people. ([Click here to read more](#))

#### **Federal Police inquiry**

Not long after Cole publishing his report in November 2006 the Federal Police started investigating. Some 2 1/2 years later Commissioner Mick Keelty announced that the Federal Police had dropped their investigation into AWB bribery scandal. Mick Keelty made this announcement on Friday the 28th of August 2009. He retired from the force on Wednesday the 2nd of September 2009 which he had announced a few weeks earlier. This to me was very strange. Why would Keelty announce this only 3 working days before his retirement. As I previously said it looks like he was cleaning out the dirty laundry before Tony Negus took over as commissioner. It is worth noting the announcement was made on a Friday as well which reduces the media coverage. Governments and government agencies are well aware if you want to reduce media coverage announce it on a Friday. You will quite often see governments announce bad news on a Friday as do companies with bad news for shareholders.

The reasoning for dropping the investigation was in part at least based on legal advice from the barrister Paul Hastings QC. The Australian reported at the time: "The AFP announced yesterday that the decision to drop the investigation was made after a review of the evidence by senior barrister Paul Hastings QC, who declared the prospect of convictions was limited and "not in the public interest".

And: "Based on the advice provided by Mr Hastings, and following consultation with the Australian Securities & Investments Commission, the Commonwealth Director of Public Prosecutions and the Commonwealth Attorney-General's Department, the Commissioner of the Australian Federal Police, Mick Keelty, has decided to discontinue the Australian Federal Police investigation and to offer such assistance as is required to the Australian Securities & Investments Commission to assist that agency to complete its investigation," the AFP said.

"It has hardly been a secret that the AFP investigation was under-funded and under-resourced, and it received little co-

operation from AWB, which sees itself as a new entity, with all staff associated with the corrupt dealings having left." ([Click here to read the full article](#))

I find it amazing the opinion of one barrister can halt the prosecution in Australia's biggest bribery scandal. Interestingly the Federal Police are refusing to release a full copy of Paul Hastings 39 page advice even though The Age applied under freedom of information laws. ([Click here to read](#)) They are claiming legal privilege. Maybe to keep themselves out of jail? And on what basis did Peter Hastings QC decide "not in the public interest?" I think the opposite would be true that it would be very much in the public interest to charge these people given that the Cole Inquiry recommended charges and the gravity of what they did.

In fairness to Tony Negus when Ross Fusca's allegations hit the media last month Mr Negus called a press conference and took the heat for the decision himself and did not try to blame Mick Keelty. Although one of his defences was a bad joke. He pointed to the fact that the AFP had charged numerous people in the Australian Reserve Bank, Securrency and Note Printing Australia international bribery scandal. The problem is that AFP were caught out trying to cover that up. I did a post last year where the RBA bribery scandal gets mentioned titled "Pigs On The Run – The Australian Federal Police" ([Click here to read the post](#))

Tony Negus said in relation to the RBA bribes in 2010:

*"There was an initial assessment done of that material and at that time, over the coming months, it was decided that there was insufficient material to launch an investigation. Looking back, there could have been more done at that time, I think, to look further and deeper into the issue."*

*"At a later stage there was more material provided to the Australian Crime Commission, which was again provided to the AFP; at about that time the matter was formally referred to us by the RBA after the matter was featured in The Age newspaper."*

And this is what he said about the Australian Defence Force sex tape scandal involving the 18-year-old girl, which the Federal Police also tried to cover-up and the girl was lied to and told that it was not an offence under ACT law: 'That advice that was provided by defence didn't really fully comprehend the magnitude of what we now know to be the case' The AFP attitude and advice changed once the media became involved. ([Click here to read the post](#))

#### **Shareholder class action against AWB**

Shareholders launched a class action against AWB "because its share price collapsed after the Cole Inquiry revealed AWB paid kickbacks to Saddam Hussein's Iraqi Government." ([Click here to read more](#)) The class action was settled in February 2010 for \$40 million. AWB gave the standard reasons why they settled, but the reality is that they did not want more evidence coming out about the bribery. When they settled they made the admission that they knew money was going to the Iraqi government. At the time it was reported "in a shareholder class action in the Federal Court, AWB admitted that it knew a Jordanian trucking company was passing the money to Baghdad between 1999 and 2003."

"John Agius, SC, who was counsel assisting the 2006 inquiry, said he was astounded by the admission, which came after seven years of public denials. "There was no concession coming close to that at any time during the running of the inquiry," he said." ([Click here to read more](#))

Some of the evidence that came to light in court before AWB settled with shareholders was reported as such: "In his opening address, Sheahan, like Agius, said the documentary trail showed unambiguously that AWB executives had known where the money was going. Sheahan quoted from contemporaneous internal AWB correspondence, picking out phrases like "would breach UN sanctions", "as long as the link was not apparent that the funds were going into Iraq," "the banking details that Iraq will require," "with payment of the trucking fee we are prevented of doing this direct to Iraq for obvious reasons" and "we believe the increase in trucking fee and addition of the service charge is a mechanism of



extracting more dollars from the [UN-supervised] escrow account”.” ([Click here to read more](#))

The evidence against AWB was open and shut and to continue with the court case would have been suicide. But before they settled the new management had to admit that AWB knew that the money was going to the Iraqi government because if they did not they also could have been held accountable for bribing the shareholders to cover-up the crimes of the former management of AWB. It is interesting that they denied that the Australian government did not know about the bribes, denied that they knew it was a breach of UN sanctions and denied that they knew they breached Australian bribery laws.

Of course they knew they were breaching the UN sanctions and they would have been fully aware they were breaking Australian bribery laws. What AWB were saying about the government knowing was if you come after us given our admission we will take you down with us as we have the evidence to prove the government knew.

#### **Ross Fusca's Federal Court of Australia proceedings against the AFP**

This came to light last month in a joint report by the ABC's 7.30 Report and The Age's Nick McKenzie and Richard Baker. As I said at the beginning they missed two issues that I believe were of importance.

The 7.30 report started off the program with:

*The Federal police officer in charge of investigating claims the Australian Wheat Board paid kickbacks to Iraq says the AFP mishandled and prematurely shut down its inquiry.*

*LEIGH SALES, PRESENTER: There have been explosive claims by the former head of the Australian Federal Police taskforce in the Australian Wheat Board scandal.*

*The AWB crisis erupted in 2005 and led to a Royal Commission.*

*The wheat board had paid hundreds of millions of dollars in kickbacks to Saddam Hussein's regime in Iraq. It was a severe embarrassment to the wheat board and the government of the day.*

*But even though the Royal Commission found compelling evidence of criminal action, the police investigation into the matter wound up in 2009 without a single person being charged.*

*Now the man who headed up that investigation, Ross Fusca, a decorated 30-year AFP veteran, says he was offered a promotion if he'd shut the inquiry down. ([Click here for the full transcript or to watch the show](#))*

Nothing new here from a viewpoint of the AFP shutting down politically embarrassing criminal cases. But now we have a whistleblower to confirm what many already knew. The AFP have plenty of form on the board for that.

The Age did two stories on Fusca's allegations the first titled "Scandal? What scandal?" starts off:

*THE GOLDEN rule of the electronic age is to think before you hit send. It is why, in late 2008, the operational head of Australia's biggest corruption probe read and reread the missive he had prepared, pausing on the last few lines.*

*"I refuse to be treated like a fool," the email said. "This is a high priority AFP national investigation, the task is massive. If no proper effective support is given and maintained, I recommend closing this investigation."*

*At 3.18pm on December 18, Ross Fusca, the acting co-ordinator of the AWB oil-for-food taskforce, hit "send" and his 30-year career began a rapid downwards spiral. Fusca was quickly disciplined and demoted. Worse would come: stress leave, a humiliating return to work and, most recently, a Federal Court action that details an explosive claim that Fusca was offered a promotion in return for prematurely shutting down the police's AWB inquiry. ([Click here to read the full article](#))*

The second titled "Top job 'offered to end probe'" starts off:

*THE man who led the Australian Federal Police investigation into the AWB oil-for-food scandal has alleged he was offered a promotion in return for shutting down the probe.*

*In an explosive statement lodged in the Federal Court, former AFP agent Ross Fusca said another senior officer had told him*

*that if he could "make the oil-for-food taskforce go away, he would be appointed as next co-ordinator".*

*"And he has claimed the police's AWB taskforce – which ran between late 2006 and August 2009 – had a high-level political informant who indicated that federal government officials had been aware of AWB's payment of kickbacks."* ([Click here to read the full article](#))

Putting Ross Fusca's claims aside for a moment, once AWB admitted in court that they knew that the money was going to the Iraqi government the Federal Police should have reopened their investigation then and there. Yes it was new management at AWB but they clearly made that admission because they had to before they settled the class action otherwise the settlement could and would have been construed as a bribe to cover-up the crimes of the previous management as I have already said.

The AWB management were in a fix. They could not settle with the shareholders without making the admission of bribery and neither could they let it go to full hearing with all the evidence that would have come out. Nor could they settle with the shareholders and make the admission of bribery while the Federal Police were still investigating as the Federal Police would have been left with no choice but to lay charges against the 12 people Cole recommended and the company. They badly needed the Federal Police to sweep it under the carpet first so they could settle with the shareholders to avoid the full hearing. As we know the Federal Police obliged.

Once you add Mr Fusca's claims to the AWB admissions as well as the other evidence the AFP ignored then the government should be setting up an inquiry into the whole affair.

But this will never happen as the Liberals/Nationals have no incentive to support an inquiry as it happened on their watch and possibly some of their former politicians would be implicated. The Labor Party would not want to set a precedent as they have their own recent dirty laundry. The reality is they all fall into line like a Canberra Mafia when it comes to public service corruption. They are all happy to sweep it under the carpet. That seems to be AWB's trump card, public servants would be implicated if any of them where ever charged and no one in the parliament or public service wants that. I did a post in October last year which is worth a read on this topic titled "The Canberra Mafia. How and why the Australian Federal Government conceal corruption." ([Click here to read the post](#)) Every Australian should be greatly disturbed how an Australian company, AWB, managed to get away with bribing Saddam Hussein \$300 million and not be held to account. It is not just the Federal Police who have questions to answer but also the Commonwealth Director of Public Prosecutions, Attorney-Generals Department and not to mention the Federal Politicians. We can go to war to get rid of a tyrant like Saddam Hussein and his government but can not hold those who helped finance him responsible. It is a sad reflection on this country.

As for the Ross Fusca matter, I believe him as there is plenty of other evidence to support what he says as far as a cover-up is concerned. Whether or not his Federal Court matter will go to hearing is interesting. Do the Federal Police settle to cover up their corruption or do they let it go to hearing for the whole country to see?

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